IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.422 OF 2004

IN

SECOND APPEAL St NO.7665 OF 2004

Smt.Shakuntala Govind Dafal and Anr. ..Applicants
Versus
Smt.Nakubai Vithoba Dafal and Ors. ..Respondents

Mr.V.B.Tapkir for applicants
Mr.V.V.Savji i/b P.B.Shah for respondents

CORAM : P.V.KAKADE, J.

DATE : 21st OCTOBER, 2005.

P.C.:

1. Heard both sides.

2. This is an application for condonation of delay of 88 days in preferring Second Appeal. It is submitted on behalf of the applicant that the actual delay is 45 days and not 88 days. At any rate it is sought to be explained that the delay was caused due to the reasons the applicant-appellant is an illiterate lady and was not acquainted with the court procedure and she had entrusted the matter to the advocate, however, he did not promptly prepared the appeal and hence the delay. In view of the facts and circumstances I am inclined to condone the delay in the interest of justice. Hence the application is made absolute in terms of prayer clause

(a) and stands disposed of with no order as to costs.